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10 Attorneys for Defendants  
11 SEAVIEW INSURANCE COMPANY  
and TWO JINN, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

17 STEVEN BREAUX, individually and on  
behalf of all other similar situated individuals,

18 Plaintiff,

19 || V.

ACCREDITED SURETY AND CASUALTY COMPANY, AEGIS SECURITY INSURANCE COMPANY, ALLEGHENY CASUALTY COMPANY, AMERICAN CONTRACTORS INDEMNITY COMPANY, AMERICAN SURETY COMPANY, ASSOCIATED BOND AND INSURANCE AGENCY, INC., BANKERS AGENCY, INC., BANKERS INSURANCE COMPANY, BOND SAFEGUARD INSURANCE COMPANY, CRUM & FORSTER INDEMNITY COMPANY, DANIELSON NATIONAL INSURANCE COMPANY, FINANCIAL CASUALTY & SURETY, INC., HARCO NATIONAL INSURANCE COMPANY, INDIANA

Case No. 3:19-cv-00717-JST

## **CLASS ACTION**

**DECLARATION JON F. CIESLAK IN  
SUPPORT OF ADMINISTRATIVE MOTION  
TO CONSIDER WHETHER CASES SHOULD  
BE RELATED**

**LOCAL RULE 3-12**

Judge: Jon S. Tigar

1 LUMBERMENS MUTUAL INSURANCE  
2 COMPANY, INTERNATIONAL FIDELITY  
3 INSURANCE COMPANY, LEXINGTON  
4 NATIONAL INSURANCE  
5 CORPORATION, LEXON INSURANCE  
6 COMPANY, NATIONAL AMERICAN  
7 INSURANCE COMPANY, NORTH RIVER  
8 INSURANCE COMPANY,  
9 PHILADELPHIA REINSURANCE  
10 CORPORATION, SAFETY FIRST  
11 INSURANCE COMPANY, SEAVIEW  
12 INSURANCE COMPANY, SENECA  
13 INSURANCE COMPANY, STILLWATER  
14 PROPERTY AND CASUALTY  
15 INSURANCE COMPANY, SUN SURETY  
16 INSURANCE COMPANY, UNITED  
17 STATES FIRE INSURANCE COMPANY,  
18 UNIVERSAL FIRE & INSURANCE  
19 COMPANY, CONTINENTAL HERITAGE  
20 INSURANCE COMPANY,  
21 WILLIAMSBURG NATIONAL  
22 INSURANCE COMPANY, TWO JINN,  
23 INC., AMERICAN BAIL COALITION,  
24 INC., CALIFORNIA BAIL AGENTS  
25 ASSOCIATION, AND GOLDEN STATE  
26 BAIL AGENTS ASSOCIATION, AND  
27 DOES 1-100,

28 Defendants.

I, Jon F. Cieslak, declare:

1. I am an attorney duly licensed to practice law in the State of California and am an  
2 associate with the firm of Cooley LLP, counsel of record for Defendants Seaview Insurance Company  
3 and Two Jinn, Inc. (collectively, "Defendants") in this action. I have personal knowledge of the facts  
4 set forth herein, and, if called as a witness, I could and would competently testify thereto.

5. On January 29, 2019, plaintiffs Shonetta Crain and Kira Serna ("Plaintiffs")  
6 commenced a class action in the Superior Court of the State of California for the County of Alameda,  
7 entitled *Crain, et al. v. Accredited Surety and Casualty Company, et al.* (Case No. RG 19004509) (the  
8 "Crain action"). A true and correct copy of the Complaint filed in the state court is attached hereto as  
9 Exhibit A.

3. A true and correct copy of the Complaint filed in this above-entitled action is attached as Exhibit B.

4. On March 8, 2019, Defendants removed the *Crain* action to the Northern District of California. A true and correct copy of the Notice of Removal is attached hereto as Exhibit C.

5. On March 11, 2019, the *Crain* action was assigned to Magistrate Judge Thomas Hixon. A true and correct copy of the electronic filing notice of the Notice of Case Assignment is attached as Exhibit D. A true and correct copy of the Order Setting Initial Case Management Conference is attached as Exhibit E.

6. Prior to the filing of Defendants' instant Administrative Motion to Consider Whether Cases Should Be Related ("Administrative Motion"), Defendants conferred with Plaintiffs' lead counsel in the *Crain* action. Plaintiffs' counsel agree that the cases should be deemed related and do not dispute Defendants' Administrative Motion.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 12, 2019 in San Diego, California.

Jon F. Cieslak